

FCC MAIL ROOM

Before the  
Federal Communications Commission  
Washington, DC 20554

2001 AUG 14 A 10: 56

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	CEIVED
Universal Service Administrator by	)	
	)	
School District of the City of Monessen	)	File Nos. NEC.471.06-19-00.1550002
Monessen, Pennsylvania	)	NEC.471.06-19-00.1550003
	)	NEC.471.05-15-00.13400007
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45✓
Universal Service	)	
	)	
Changes to the Board of Directors of the	)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.	)	

**ORDER**

**Adopted: August 10, 2001**

**Released: August 13, 2001**

By the Accounting Policy Division, Common Carrier Bureau:

1. The Accounting Policy Division has under consideration three Requests for Review filed by School District of the City of Monessen (Monessen), Monessen, Pennsylvania, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> Monessen seeks review of SLD's refusal to consider Monessen's appeal to SLD on the grounds that they were untimely filed. For the reasons set forth below, we deny Monessen's Requests for Review.

2. SLD issued three Funding Commitment Decision Letters, one on June 21, 2000 and two on June 28, 2000, indicating that Monessen's FCC Form 471, Services Ordered and Certification Form, did not meet the Minimum Processing Standards and cannot be processed.<sup>2</sup> On

<sup>1</sup> Letter from Richard Fantauzzi, School District of the City of Monessen, to Federal Communications Commission, filed January 22, 2001, regarding NEC.471.06-19-00.15500002; Letter from Richard Fantauzzi, School District of the City of Monessen, to Federal Communications Commission, filed January 22, 2001, regarding NEC.471.06-19-00.15500003; Letter from Richard Fantauzzi, School District of the City of Monessen, to Federal Communications Commission, filed January 22, 2001, regarding NEC.471.05-15-00.13400007.

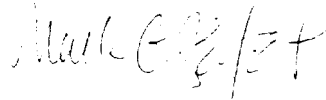
<sup>2</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Amy L. Todd, School District of the City of Monessen, regarding NEC.471.05-15-00.13400007, dated June 21, 2000; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Amy L. Todd, School District of the City of Monessen, regarding NEC.471.06-19-00.15500002, dated June 28, 2000; Letter from Schools and Libraries Division,

January 8, 2001, Monessen filed three appeals of SLD's decision.<sup>3</sup> On January 12, 2001, SLD issued three Administrator's Decision on Appeal indicating that it would not consider Monessen's appeal because it was received more than 30 days after the Funding Commitment Decision Letter was issued.<sup>4</sup> Monessen subsequently filed the instant Requests for Review with the Commission.

3. Under section 54.720 of the Commission's rules, an appeal must be filed with the Commission or SLD within 30 days of the issuance of the decision as to which review is sought.<sup>5</sup> Documents are considered to be filed with the Commission or SLD only upon receipt.<sup>6</sup> The 30-day deadline contained in section 54.720 of the Commission's rules applies to all requests for review filed by a party affected by a decision issued by the Administrator. Because Monessen failed to file an appeal of the June 21, 2000 and June 28, 2000 Funding Commitment Decision Letters within the requisite 30-day appeal period, we affirm SLD's decision to dismiss Monessen's appeals to SLD as untimely and deny the instant Letter of Appeal.

4. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Requests for Review filed by School District of the City of Monessen, Monessen, Pennsylvania on January 22, 2001, ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Mark G. Seifert  
Deputy Chief, Accounting Policy Division  
Common Carrier Bureau

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Universal Service Administrative Company, to Amy L. Todd, School District of the City of Monessen, regarding NEC.471.06-19-00.15500003, dated June 28, 2000.

<sup>3</sup> Letter from Richard Fantauzzi, School District of the City of Monessen, to Schools and Libraries Division, Universal Service Administrative Company, regarding NEC.471.06-19-00.15500002, filed January 8, 2001; Letter from Richard Fantauzzi, School District of the City of Monessen, to Schools and Libraries Division, Universal Service Administrative Company, regarding NEC.471.06-19-00.15500003, filed January 8, 2001; Letter from Richard Fantauzzi, School District of the City of Monessen, to Schools and Libraries Division, Universal Service Administrative Company, regarding NEC.471.05-15-00.13400007, filed January 8, 2001.

<sup>4</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Richard Fantauzzi, School District of the City of Monessen, regarding NEC.471.06-19-00.15500002, dated January 12, 2001; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Richard Fantauzzi, School District of the City of Monessen, regarding NEC.471.06-19-00.15500003, dated January 12, 2001; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Richard Fantauzzi, School District of the City of Monessen, regarding NEC.471.05-15-00.13400007, dated January 12, 2001.

<sup>5</sup> 47 C.F.R. § 54.720.

<sup>6</sup> 47 C.F.R. § 1.7.